

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

United States of America

Plaintiff

vs.

Malcolm McMiller,

Defendant.

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No. CR00-69

(Term. Dec. Nos. 30+37)

HEARING ON Rule 35(b) Reduction of Sentence

Before Judge Alan N. Bloch

Troy Rivetti (AUSA)
Robert Iuzzoline (AG's office)
Appear for Government

Steven Misko, Esq.
Appear for Defendant

Hearing begun 10/17/05 at 3:37 p.m.

Hearing adjourned to _____

Hearing concluded 10/17/05 at 3:50 p.m.

Stenographer A. Murphy
Clerk: L. Diulus

WITNESSES:

For Plaintiff

For Defendant

Court notes presence of Defendant, his counsel and counsel for the Government; Court provided the parties the opportunity to provide additional information with respect to the Government's motion; Court found that a reduction in Defendant's sentence in this case is appropriate; Court reduced Defendant's sentence from 292 months' imprisonment to 120 months' imprisonment to be followed by five years of supervised release; Court amended Defendant's conditions of supervised release; Court acknowledged that Defendant has paid the special assessment of \$100; Court agreed to recommend that the Defendant be placed at either FCC Coleman or FCI Milan; Court agreed to recommend that the Defendant take part in the 500 hour intensive drug treatment program while incarcerated; Defendant was already in custody.